



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,771	07/06/2004	Torbernt Hjelmvik	1725	7036

7590 01/10/2006

Alfred J Mangels
4729 Cornell Road
Cincinnati, OH 45241-2433

EXAMINER

WALSH, DANIEL I

ART UNIT PAPER NUMBER

2876

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,771

Applicant(s)

HJELMVIK, TORBERNT

Examiner

Daniel I. Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Receipt is acknowledged of the RCE received on 28 October 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilen, as cited in the previous Office Action, in view of Ouimet et al. (US 6,823,317), in view of Cornelison, as cited in the previous Office Action.

Re claim 1, Ilen teaches:

A method of controlling parking of vehicles in a parking system by which a mobile telephone is used to commence and to terminate parking of a vehicle, the method comprising the steps of:

sending by telephone (mobile) at least one user specific code directly to a receiving computer associated with the parking system when beginning and terminating a parking period (col 3, lines 41+),

at the beginning of a parking period sending directly to the parking system receiving computer by telephone (mobile) the identity of the parking zone concerned and a vehicle-specific code (col 3, lines 48+),

Art Unit: 2876

storing the parking zone identity and the vehicle specific code in the receiving computer when parking is commenced (as the driver indicates where the car is parked when they park the car) and associating them with the user specific code (FIG. 3b, understood to associate, since it's a record),

providing a control unit including a mobile telephone having a unique telephone number (control device 6) for wireless communication with the receiving computer (register 8) to fetch directly from the receiving computer information as to the identity of those vehicles that have commenced but not yet terminated a parking period in the parking zone concerned,

Ilen teaches the control unit sends data from the parking attendant (via unit 6) to the parking system-receiving computer (register), but is silent that the control unit sends a voice message to the receiving computer. Ilen teaches the control unit includes a GSM/mobile phone (FIG. 2) for sending to a receiving telephone coupled to the receiving computer information, but is silent to the sending of voice messages. It is obvious to couple a phone to the computer in order to receive the telephonic communication. Ilen teaches that the code is compared with those codes signed in, to determine if the vehicle is legally parked/logged in (col 4, lines 44+), and sending indication back to the control unit about the parking status (logging status), though Ilen is silent that the indication is in the form of a voice message. Ilen teaches the storing and associating of the codes (user specific, parking zone, vehicle specific, registration, etc.) (FIG. 3A-3B). The Examiner notes that it is obvious that telephones have unique numbers.

Ouimet et al. teaches that the parking attendant can either manually, automatically, or by voice, enter the license plate number, interpreted as the registration number, into the terminal,

Art Unit: 2876

which is sent to the computer, and then the computer sends back to the attendant the necessary information (col 5, lines 15+).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to combine the teachings of Ilen with those of Ouimet et al.

One would have been motivated to do this in order to permit an attendant to easily input readily viewable data (registration/license plate) in order to fetch data. As opposed to barcode, the attendant is able to read the license plate from a further distance, and does not have to go up to each car, but can input the data from afar, thus adding convenience.

However, Ilen/Ouimet et al. are silent to the voice message from the attendant being sent (that includes a registration number), and that the attendant also receives a voice message including the repeated registration number.

Cornelison teaches that a voice message is used by a law enforcement officers to communicate license plate numbers to a computer which in turn communicates back to the officer (via a voice message) information relating the officers sent voice message, including repeating the license plate numbers (abstract and col 8, lines 6+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ilen/Ouimet et al. with those of Cornelison.

One would have been motivated to do this in order to have a more convenient means for the attendant to send and receive data (voice message).

Though Ilen/Ouimet/Cornelison are silent to the telephone number of the mobile telephone of the parking attendant being detected and stored in the computer, the Examiner notes that it is well known and conventional in the art to store telephone numbers in computer systems,

Art Unit: 2876

to identify those calling in/out, for record keeping purposes, generating employee/management reports, etc. As an Example of the well know nature of such call logging/recording, the Examiner specifically notes the use of such record keeping with authorities such as the police (dispatch), where it is know that an incoming calls phone number, time of call, etc. is recorded by the computer system for record keeping purposes and to provide additional data relating the caller (such as identity, for example). Accordingly, recording the phone numbers of the calls received and time, would have been an obvious expedient for record keeping. Additionally, the Examiner notes (Taskett US 6115458) which teaches a call log FIG. 6, which logs the number and time of calls). The Examiner notes it would have been an obvious expedient to log the calls, as is well known and conventional, for record keeping purposes, for management report purposes (i.e. see which workers are more productive, error prone, etc.).

Re claim 2, Ilen teaches that the parking attendant receives a message/indication of the parking zone a vehicle is logged in (col 4, lines 60+). Ilen is silent to the message being a voice message. Cornelison teaches the use of voice message for convenience.

Re claim 4, it has been discussed above that Cornelison uses voice recognition for license plate numbers. It is therefore obvious that such teachings can be extended to interpret a registration number spoken by the parking attendant. Cornelison teaches that the receiving system has voice recognition (FIG. 3). Accordingly, it is therefore obvious that a telephone device coupled to a computer would also include voice-interpreting device for such processing, in order for the data to be interpreted.

Re claim 5, the storing of the telephone number and also message (confirmation) has been discussed above.

Art Unit: 2876

Re claim 6, though the prior art teaches voice recognition/commands, it is silent to voice identification (of a user). The Examiner notes that voice identification of an individual is old and well known, as a means to provide identification, security, for generating of records, etc. Accordingly, such modification is therefore an obvious expedient with the expected results of identification, security, etc. The Examiner notes (US 2003/0120660) which teach that voice recognition is a well-known means to provide security/prevent unauthorized use of a system (paragraph [0054]).

Re claims 7 and 8, Ilen teaches that upon being informed that a vehicle is not logged in/legally parked, a confirmation message is sent from the control unit to the receiving computer (col 5, lines 5+). Though Ilen is silent to the control device notifying the computer by either a keypad or voice message, the Examiner notes that it has been discussed above that voice messaging is a well known alternative for providing convenient communications not requiring keying information or manual use on the part of the user. The use of a keypad to send a confirmation is therefore obvious in light of the teachings of Ilen which teaches a unit that has a printer and that also allows additional information to be manually inputted (col 5, lines 1+) which can include such well known means as a keypad.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilen/Ouimet et al./Cornelison, as discussed above, further in view of Katz (US 2002/0109610).

The teachings of Ilen/Ouimet et al./Cornelison have been discussed above, including time stamping of incoming transmissions, which is well known and conventional (see above).

Ilen/Ouimet et al./Cornelison are silent to a grace period/free parking period, and that when an attendant scans a vehicle a second time (after initially scanning during the grace/free

Art Unit: 2876

period) a voice message is sent to the parking attendant reporting whether the vehicle is still logged in. Ilen/Ouimet et al./Cornelison do teach voice message communication of information.

Katz teaches that a vehicle is given a grace period to provide registration information, or else the car is determined to be illegally parked (paragraph [0063] and [0073]).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ilen/Ouimet et al./Cornelison with those of Katz.

One would have been motivated to do this in order to have a grace period whereby a user/vehicle has time before information is required, for convenience for the user/vehicle. The Examiner notes that it has been taught above that when attendant inputs registration numbers/vehicle information regarding the car and data is transferred to see if the car is illegally parked/subject to a fine/ticket, etc. Therefore, the Examiner contends that when such teachings are combined with those of Ilen/Ouimet/Cornelison, as discussed above, it would have been obvious to one of ordinary skill in the art that during the grace period a car would not be deemed as illegally parked (and subject to fines), but that when that car's data is input again after the grace period, that it could be reported as illegally parked and therefore subject to being ticketed/fined, etc. It has been discussed above that voice messages can indicate whether the vehicle with the associated identifier is logged in or not, and that the registration/vehicle identifying information is stored in the receiving computer, for records/tracking. Though silent to storing the time, the Examiner notes that it would have been obvious to also include the times, even in instance of free parking/grace periods, in order to be able to determine whether the car is illegally parked when later scanned. The Examiner notes that time stamping and keeping timing records is an obvious expedient, as parking systems are well known and conventional to charge

Art Unit: 2876

based on the amount of time a car parks, and that time stamping of events is well known and conventional in the art to provide detailed records of transactions/events/etc.

Additional Remarks

4. The Examiner notes that the effective filing date never moves to the foreign priority date. Rather, if the date is perfected by meeting all of the requirement for a claim for priority and also a sworn English translation, if not in English, this date may be used to overcome references in between the foreign filing data and the U.S. filing date. However, the Examiner notes that a sworn English translation of Swedish Patent Application 0200234-3 has not been received at this time.

Response to Arguments

5. Applicant's arguments filed 30 September 2005 have been fully considered but they are not persuasive.

The Examiner has cited the art of Ouimet et al. to teach registration codes being input into an attendant's terminal and sent to a computer to fetch information.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the information contained in the stand alone computer is not current (page 7 of Applicants Response) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Art Unit: 2876

Additionally, the Examiner notes that Cornelison is used for teachings of voice communication of information. Though the applicant discusses the how Cornelison uses intermediaries, the Examiner notes that Cornelison is relied upon for teaching voice communication.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Examiner believes that motivation exists for providing additional convenience (reading license plates from afar versus having the attendant have to go to each car to read the barcoded tag, and voice communication as opposed to having to manually input/read/confirm information), and that such motivation is well within the ordinary skill in the art. As the references themselves are generally aimed at streamlining and improving the parking process, it is believed that such a combination would be obvious to one of ordinary skill in the art, at the time the invention was made, to achieve similar goals/results.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is 571 242 2409. The examiner can normally be reached on M-F 7:30-4:00.

Art Unit: 2876

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'D. I. Walsh', with a large, stylized flourish extending from the end.

Daniel I Walsh
Examiner
Art Unit 2876
12-26-05